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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/272,075	03/18/1999	ANDREAS HENNIGER	GR-98-P-1381	5171

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EXAMINER

CHANG, JUNGWON

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 06/15/2004

27

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application

09/272,075

Applicant(s)

HENNIGER ET AL.

Examiner

Jungwon Chang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/30/2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☒ Claim(s) 9-11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 25.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

FINAL ACTION

1. This Office action is in response to the Reconsideration filed on 3/30/2004.
2. Claims 1-11 are presented for examination.
3. The text of those sections of Title 35, U.S. Code not included in this office action can be found in a prior office action.
4. Claims 9-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
5. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang (US 6,052,456), in view of Echensperger et al. (US 6,199,160 B1), hereinafter referred to as Echensperger.
6. As to claim 1, Huang discloses the invention substantially as claimed, including a telecommunication system used by subscribers and administrated remotely by an administrator (col. 5, lines 1-12; col. 13, lines 27-54) comprising:
a telecommunications apparatus (230, fig. 1) having a terminal with properties of a terminal with administration authorization (i.e., telephone) (col. 6, lines 31-47; col. 11, lines 3-31; col. 14, lines 24-33);

a remote computer (10, 14, fig. 1) connected to said terminal of said telecommunications apparatus exchanging only administrative changes to the telecommunication system for remote administration of said telecommunications apparatus (col. 13, lines 43-54).

7. Huang does not specifically disclose a virtual terminal. However, Echensperger discloses a virtual terminal (4, 5, fig. 2; col. 6, lines 2-7 and 54-62). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Huang and Echensperger because virtual terminal in Echensperger would enhance the performance of communication of Huang's system by allowing the virtual terminal to universally communicate with any other devices.

8. As to claim 2, Huang discloses the terminal with administration authorization is a telephone (col. 3, lines 62-65).

9. As to claim 6, Huang discloses said remote computer has a message interpreter and an emulator providing an interface and functionality of said terminal with administration authorization (11, 22, fig. 1; col. 5, lines 13-34).

10. As to claim 7, Huang discloses said telecommunications apparatus has a data interface (56, 62, 64, fig. 1; col. 8, line 50 – col. 9, line 14) and control traffic

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between said port and said telecommunication apparatus is diverted to said data interface (col. 8, lines 29-49).

11. As to claim 8, Huang discloses data interface is selected from the group consisting of a V.24 interface (16, fig. 1), analog modem (col. 5, line 66 – col. 6, line 2).

12. As to claims 3-5, they are rejected for the same reasons set forth in claim 1 above.

13. Applicant's arguments filed on 3/30/2004 have been fully considered but they are not persuasive.

14. In the remarks, applicants argued in substance that

(1) Neither a virtual terminal nor administration of a telecommunications apparatus is disclosed or suggested by Huang or Echensperger (page 3 of remarks).

(2) In the telecommunication system according to the present invention, only a terminal is authorized for administration (page 4 of remarks).

(3) According to the present claimed invention, a virtual terminal (e.g., telephone) assigned to the telecommunication system is interconnected.

Echensperger does not disclose, or suggest a telecommunication system (pages 4-5 of remarks).

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(4) Echensperger does not disclose a telecommunication with a remote administration function (page 5 of remarks).

15. Examiner respectfully traverses applicants' remarks.

As to point (1), in response to applicant's argument, Echensperger clearly discloses a virtual terminal (4, 5, fig. 2; col. 6, lines 2-7 and 54-62). Applicant is directed to read paragraph 7 above. In addition, Huang discloses administration of a telecommunications apparatus (i.e., the telecommunications apparatus (230, fig. 1) for managing and controlling the administration function, and detecting the changes; col. 12, lines 15-19; col. 13, lines 10-26).

As to point (2), In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., only a terminal is authorized for administration) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

As to point (3), applicant argued that a virtual terminal is a telephone that is assigned to the telecommunication system, examiner respectfully disagree because the recitation "a terminal with administration authorization" in claim 1 is the telephone as claimed in claim 2.

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As to point (4), Huang clearly discloses a telecommunication apparatus (230, fig. 1) is remotely connected to a remote computer (10, 14, fig. 1) through a communications link (i.e., Intranet or Internet communication link; 16, fig. 1; col. 5, line 66 – col. 6, line 2).

16. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jungwon Chang whose telephone number is (703)305-9669. The examiner can normally be reached on 9:30-6:00 (Monday-Friday).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703)308-9052. The fax

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phone number for the organization where this application or proceeding is assigned is (703)746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-9669.

JWC
June 11, 2004


JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100